

JUDGE RICHARD A. JONES

Hearing date: January 11, 2012

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DERRICK JOHNSON and AMY MARIE
JOHNSON,
Plaintiffs,
v.
US BANCORP, US BANK NATIONAL
ASSOCIATION, aka US BANK, a
subsidiary of US BANCORP a foreign
corporation, JOHN DOE 1, JOHN DOE 2,
JANE DOE 1, & JANE DOE 2,
Defendants.

Case No. 2:11-cv-02010-RAJ

SUPPLEMENTAL DECLARATION OF
COUNSEL, CHELLIE HAMMACK RE:
ATTORNEY FEES FOR MOTION TO
COMPEL AND FOR SANCTIONS

I, Chellie Hammack, state and affirm as follows:

1. I am the attorney for the claimant in the above entitled matter. I am over the age of 18 and competent to testify.
2. On February 5, 2013, the Court entered an Order granting Plaintiffs' Motion to Compel and for Sanctions. Dkt # 95 In its Order, the Court requests counsel provide evidence of her fees.
3. In drafting the motion and reply, I spent a total of 10.75 hours. I am requesting that I be compensated at the hourly rate of \$295. My assistant spent .5 hours at the hourly rate of \$110. My fees total \$ 3,171.25 and my assistant's total \$ \$55. I am asking that all my fees be paid as the majority of issues raised the Court found in Plaintiffs' favor. As to the Court's ruling regarding Interrogatory No. 6, and submission of a protective order, Defendants have yet to propose one and/or send

1 me a draft for review. I am requesting a total of \$3,226.25 as fees for filing the
2 motion. In reviewing my fees for a fee application in another case, I learned that
3 my hourly rate is substantially below market. I have been practicing law in excess
4 of 11 years. So there is no confusion, I am now charging an hourly rate of \$350 per
5 hour with my assistant's rate increased to \$125 per hour. I am not asking for that
6 now, but will in the future.

- 7
- 8 4. As to the deposition of Bridie Winger, the entire deposition lasted approximately
9 2.5 hours. I would estimate that close to one half of the deposition was spent
10 dealing with Ms. Schulman's inappropriate objections. Her conduct also resulted
11 in wasted preparation time as her conducted resulted in my abandoning the
12 deposition earlier than anticipated. I saw no reason to continue and fight with her
13 further. I would estimate that approximately .5 of preparation time was wasted. I
14 am asking for compensation of 1.75 hours at the rate of \$295 per hour for the hours
15 wasted in the deposition for a total of \$516.25.

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19 I declare under penalty of perjury and the laws of the state of Washington, that the
20 foregoing is true and correct to the best of my knowledge.

21 Dated this 10th day of February, 2013, signed in Seattle, Washington.

22 /s/Chellie Hammack
23 Chellie Hammack, WSBA#31796
24 Attorney for Plaintiffs

Certificate of Service

I, Chellie Hammack, attorney for Plaintiffs certify that I filed a copy of the attached Supplemental Declaration with the Court and thereby served the following:

Francis VanDusen & Ian Messerle
Miller Nash LLP
Attorney for Defendants
601 Union Street, #4400
Seattle, WA 98101

Janie Schulman & James Oliva
Morrison & Foerster LLP
555 West Fifth Street, Suite 3500
Los Angeles, CA 90013

Dated this 10th day of February, 2013

/s/Chellie Hammack
Chellie Hammack, WSBA#31796
Attorney for Plaintiff